

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

**Clerk's Minutes  
Before the Honorable James O. Browning**

**CASE NO.**      20cv748-JB-JHR                      **DATE:**   August 14, 2020

**TITLE:**      *Curtis vs. Oliver*

**COURTROOM CLERK:**   J. Wright                      **COURT REPORTER:**   J. BEAN

**COURT IN SESSION:**   1:25PM-1:52PM              **TOTAL TIME:**   27 MINUTES

**TYPE OF PROCEEDING:**   MOTIONS TO QUASH SUBPOENAE – [DOCS 16, 17, AND 21]

**COURT RULING:**      NONE – HELD IN ABEYANCE

**ATTORNEYS PRESENT FOR PLAINTIFF(S):**    **ATTORNEYS PRESENT FOR DEFENDANT(S):**

Christ Wiest  
Stephen Curtis

Dylan Lange  
Ken Martinez for Bernalillo County  
Nelson Goodin for DOÑA ANA County  
Natalia Sanchez-Downey for  
Robin Hammer for Sandoval County  
David Mann for Sandoval County

**PROCEEDINGS:**

1:25PM      COURT IN SESSION; COUNSEL ENTER APPEARANCES; ALL COUNSEL APPEAR BY ZOOM;

1:31PM      COURT ADVISES THE MEMORANDUM OPINION REGARDING THE TEMPORARY  
  
RESTRAINING ORDER HAS BEEN FILED AND HE HAS GRANTED THE TRO.

1:33PM      KEN MARTINEZ FOR BERNALILLO COUNTY STATES HIS ISSUE HAS BEEN RESOLVED AS  
  
THEY SIMPLY NEEDED THE ORDER. A METHOD HAS BEEN WORKED OUT TO PERFORM THE  
  
RECOUNT. THEY WILL HAVE THIS DONE BY 10 PM.

1:36PM      MR. MANN STATES THE REVIEW OF BALLOTS WILL BE AVAILABLE TONIGHT; WOULD ASK  
  
THAT PRECINCT NUMBERS WILL BE REDACTED. THE TALLY SHEETS AND CANVAS  
  
SUMMARY INFORMATION ALSO CONTAINS PRECINCT INFORMATION AND WOULD LIKE

THAT REDACTED. ANTICIPATES THEY WILL BE READY ABOUT 5 PM.

1:37PM MR. GOODIN FOR DOÑA ANA COUNTY HAS DISCLOSED THE CANVAS SHEET AND TALLY INFORMATION TO PLAINTIFF. IT WILL TAKE SEVERAL WORKING DAYS TO GET THE IMAGES READY FOR THE PLAINTIFF.

1:39PM COURT INQUIRES IF PLAINTIFFS ARE HAPPY WITH THE EFFORTS MADE BY THE COUNTIES. THEY DO NOT NEED INDIVIDUAL PRECINCT INFORMATION. PLAINTIFF STATES THEY ARE HAPPY TO WORK OUT STIPULATED ORDERS AND WORK WITH THE COUNTIES FOR EXTENSIONS.

1:40PM COURT CLARIFIES THAT THE COUNTIES WILL EITHER WITHDRAW THEIR MOTIONS OR AN ORDER WILL BE ENTERED.

1:42PM SANDOVAL COUNTY STATES THEY WOULD BE HAPPY TO JOIN IN THE ORDER BEING DRAFTED BY BERNALILLO COUNTY.

1:42PM DOÑA ANA COUNTY STATES THEY CANNOT COMPLY BY 10 PM TONIGHT AND THAT IS THEIR ONLY CONCERN.

1:43PM MR. LANGE QUESTIONS WHICH PROCEDURE WILL BE USED BY EACH COUNTY AND WANTS TO BE SURE THAT ONLY MEMBERS OF PRECINCT BOARDS CAN HANDLE THE MATERIALS. BALLOT IMAGES HAVE NEVER BEEN USED BEFORE.

1:48PM COURT DIRECTS THAT THE COURT ORDER BE CIRCULATED AMONG ALL PARTIES TO BE CERTAIN OF FORM OF ORDER AND CONTENT.

1:49PM COUNSEL HAVE NOTHING FURTHER.

1:50PM COURT STANDS IN RECESS.